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Letter dated 15 October 2015 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a response from the High Council for Human Rights of the Islamic Republic of Iran regarding the report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran (A/70/352) (see annex).

I should be grateful if you would arrange to have the present letter and its annex circulated as a document of the General Assembly, under agenda item 72 (c).

(*Signed*) Gholamali **Khoshroo**
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Annex to the letter dated 15 October 2015 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

General response to the report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran

Introduction

The Government of the Islamic Republic of Iran is firmly determined to utilize its potential and capacity to promote and protect all human rights. Iran's commitment to the promotion and protection of human rights is inherent, genuine and deeply rooted in the people's beliefs and values. It is intertwined with the nation's hopes for a brighter, happier and more prosperous future. The Islamic Republic of Iran is firmly committed to the realization of all human rights and providing the appropriate grounds for the realization of a civil society inside the country and around the world based on respect and tolerance. The Islamic Republic of Iran does not claim that the application of all human rights principles within the country is perfect. Obviously, no country can put forward such a claim. However, it is of the utmost dismay that Iran is unjustifiably and unfairly being targeted and the United Nations human rights mechanisms being misused and politicized by a country with an indefensible human rights record.

The Constitution, laws, regulations and development policies of the country have solid provisions for the protections of the rights of all people, men and women, and guarantee equality before the law for all without distinction. All institutions of Government are obliged to create an environment conducive to the material and moral advancement of women by providing all the necessary facilities and arrangements to guarantee the rights of women in all areas of human endeavour.

The report, contained in document A/70/352 and prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Geneva, is based on the politically motivated General Assembly resolution 69/190 that has been introduced by Canada for the past 13 consecutive years. The resolution has not been drafted to promote human rights, which is the main objective of the United Nations human rights mechanisms, rather it is a text that has solely been drafted through the misuse of human rights mechanisms for political purposes. Canada continues to defy the Charter of the United Nations, in particular Article 1 (2), which calls for friendly relations among nations based on respect for the principle of equal rights of all peoples.

In paragraph 3 of the report's introduction, hasty judgement has replaced the general flow of the report, thus eroding any opportunity for objective evaluation and analysis in the remainder of the introduction. In this situation, the introduction has effectively dictated the final conclusion, which is not in keeping with the reasonable and logical structure of a balanced and objective report. More specifically, the report overlooks issues such as the serious negative impacts of illegal and inhumane sanctions imposed on the enjoyment of human rights by Iranian citizens, progress achieved on women's rights, the fight against armed narcotic drug traffickers and serious associated crimes, the wide range of positive activities regarding journalists and public media, the scope of civil society space and the activities of non-governmental organizations (NGOs) in Iran, and, above all, it fails to appreciate

the outstanding achievements of Iran in social, cultural and economic rights and the ensuing improvement of its Human Development Index ranking. The negligence of the report towards cultural and religious questions resulted in the failure of the report to accurately reflect the real situation of human rights in Iran.

Regrettably, in many instances, the report has either not identified sources or incorporated information received from biased sources. In some paragraphs, the report alluded to legislation that is at the initial level of codification and not yet finalized, having no executive guarantee. On such a basis, the report has arrived at a false interpretation and conclusions which should be modified.

As stated in paragraph 4 of the report, the Islamic Republic of Iran continued to engage constructively with the United Nations treaty bodies, and the Government also engaged substantively with the universal periodic review (UPR) for its second cycle review. It has also invited the Special Rapporteur on the right to food to visit the country. These engagements are parts of endeavours by Iran in line with its will and serious planning for the constant promotion of human rights, acknowledged by the Secretary-General.

It is incumbent upon the Secretary-General to denounce and disapprove of the harmful effects of illegal and inhumane sanctions that have affected the human rights of most Iranian citizens and reflect on that in the final report.

Although the Islamic Republic of Iran had only a few days to respond to the report, detailed comments are prepared for each paragraph of the report, with the expectation that the drafter would adequately address these matters in the final report.

The Islamic Republic of Iran attentively considered recommendations submitted to it during the second cycle of the UPR from legal, political, economic, cultural and structural perspectives, while involving all related parties. In consultation and cooperation with related governmental institutions and members of civil society, the process of the implementation of accepted recommendations has already been initiated in Iran.

Overview of the human rights situation in the Islamic Republic of Iran

Paragraphs 6 to 9

The principled position of the Islamic Republic of Iran on the death penalty has repeatedly been declared and will be dealt with in the ensuing paragraphs.

The geographical location of the Islamic Republic of Iran as a neighbour of the world's biggest producer of illicit opium has given planning for the fight against international armed drug traffickers a strategic importance. Iran has taken effective measures to curtail the flow of drugs and, in doing so, has paid a heavy price in blood and treasure. To date, more than 4,000 law enforcement officers have lost their lives in the line of duty while an additional 12,000 have been permanently disabled. Each year, hundreds of millions of dollars are spent, including the expenditure of $700 million to secure its eastern borders, to combat trafficking and transit networks, as well as for the prevention, treatment and rehabilitation of addicts. According to the United Nations Office on Drugs and Crime (UNODC), globally, more than 80 per cent of narcotics seizures are made by the Islamic Republic of Iran. As numerous UNODC reports confirm and as stated by the

Executive Director of UNODC and the Deputy Director General of the United Nations, the Islamic Republic of Iran is now the standard-bearer of the global fight against narcotics.

In certain instances, due to the refusal of other States to responsibly cooperate, authorities have had to deal with the abduction of police officers by terrorists connected to drug traffickers. In addition, there is no doubt that in our surrounding region, extremism, terrorism, organized crime and drug trafficking work hand in hand. Given the gravity of the situation, it is necessary for all relevant countries and international organizations to seriously and responsibly work together.

According to the laws and regulations of the Islamic Republic of Iran, capital punishment is limited to the most serious crimes, which include the extensive trafficking of narcotics. Such crimes, often combined with murder and acts of terrorism, are very carefully considered by court proceedings in which the representative of the prosecutor, the accused and his or her lawyer must be present. Death sentences that are handed down in accordance with the Drug Control Law of 1997 must be endorsed by the Chief Justice of the Supreme Court and the Prosecutor General. Thus, the margin of error has been minimized, for if any of the above officials deem the sentence in violation of sharia or legal parameters, they have the authority to ask for a review or to quash the sentence.

Contrary to the claims made in paragraphs 7 and 8 of the report, international figures show that efforts made by Iran and the resoluteness of the judiciary and law enforcement in combating drug trafficking have intensely controlled and contained such crimes. The prohibition of serious punishments, including the execution of drug producers and traffickers (after the entrance of western forces) in Iran's eastern borders, in the past 14 years, has led to a 333 per cent increase in drug production, from 1,800 tons in 2001 to 6,000 tons in 2014. It has also led to the upsurge of inhumane drug-related felonies.

Iran has repeatedly declared its readiness to engage in regional and international efforts to uproot the production and trafficking of narcotics. In this respect, UNODC has repeatedly commended Iran's measures in combating narcotic drugs and has implemented several country programmes. New country programmes for the period 2015-2019 are being finalized. In these programmes, no effective alternative for the death penalty has been introduced. Furthermore, to explain its position in combating narcotics and to access the best possible experiences, the Islamic Republic of Iran has put the subject on the agenda of bilateral human rights dialogues and cooperation with other countries. This includes the submission of a comprehensive plan for regional cooperation, including multidimensional cooperation on cultural, economic and technical issues, with some European countries, where, despite lengthy negotiations, some parties have shown no seriousness in this regard. In addition, in the last meeting with the Special Rapporteur, Iran proposed dialogue and cooperation on this subject to be included in the next meeting with him.

Paragraph 10

Concerning recommendations contained in the report of the Secretary-General on the issue of ratifying the United Nations Convention against Transnational Organized Crime and strengthening anti-money-laundering laws, it should be noted that the Islamic Republic of Iran is already a party to the United Nations Convention

against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and is also a party to the United Nations Convention against Corruption of 2003, and it is profoundly committed to these Conventions. Furthermore, accession to the United Nations Convention against Transnational Organized Crime is being considered, was approved by the Government and submitted as a bill to the Parliament for ratification.

On the issue of money-laundering, efforts are under way in Iran to overcome the difficulties hindering the implementation of the anti-money-laundering law. In 2007, by adopting an anti-money-laundering law, the Islamic Republic of Iran established a high council against money-laundering that has the task of monitoring the monetary transactions of banks, financial institutions and charity organizations to prevent money-laundering. This council also submits yearly reports in this regard. Furthermore, by ratifying the bill on combating the financing of terrorism, on 22 July 2015, the Parliament has made significant efforts in combating the financing of terrorism and money-laundering, and this new development should be noted.

Paragraphs 11 and 12

Most capital punishment cases are reported by the national media — even those that have not been executed. Therefore, the implementation of punishment in prison must not be considered as punishment in secret. Furthermore, all information on the implementation of punishment is provided to the condemned individual's lawyer and immediate family.

Paragraphs 13 and 15

On the allegations relating to the death sentence for offenders under the age of 18, Iran exercises a high degree of flexibility with respect to offenders under 18 due to humanitarian considerations. They are tried in special courts and, in the light of their age and other circumstances, minimum sentences are issued for them. According to article 89 of the Penal Code, for crimes that do not receive capital punishment, offenders between the ages of 15 and 18 receive lenient sentences. They are normally sent to correctional institutions or sentenced to pay pecuniary penalties. In addition, in the cases of most serious crimes, the mental maturity of the accused at the time of committing the crime should be proven before the court.

The policy of the Islamic Republic of Iran in dealing with cases of intentional homicide relating to offenders that have reached the age of maturity but are under the age of 18 is to encourage reconciliation, even by providing financial aid to offenders to enable them to pay *diah* (blood money). The judiciary has now established a working group to help prevent the punishments that take the life of offenders. The working group is affiliated with the Tehran Province prosecutor general executive committee on the protection of children and adolescent rights. The goal of the commission is to promote reconciliation and prevent the implementation of *qesas* (retribution in-kind) sentences. The allegation of the executions, in 2014, of 13 juveniles under the age of 18 is false. Having examined the list sent by OHCHR, the relevant government authority declared that Mr. Janatmir does not have a criminal record with the Department of Justice of Esfahan Province and that Ahmad Rahimi, Hadi Veysi, Osman Dahmarde and Mohsen Sarani were over the age of 18 when they perpetrated their crimes.

Paragraph 15

Saman Naseem has been tried by the second branch chamber of the Criminal Court of the Department of Justice of West Azerbaijan Province on charges of taking part in armed terrorist attacks against military forces that caused the death and injury of a number of military personnel. The trial was held in the presence of five judges, after hearing defence arguments by him and his lawyer and all legal remedies were exhausted.

Paragraph 17

The Islamic Republic of Iran accepted more than 65 per cent of the recommendations it received during its second UPR cycle and also accepted 10 recommendations on freedom of expression to show its serious will for the advancement of the right to freedom of expression and engagement with other countries in this domain. Furthermore, according to the existing statistics, thousands of journalists and webloggers with various opinions and political inclinations are active in Iran.

Paragraph 18

Information in this paragraph concerning Iran's press law is untrue because instances of delinquent activities have been established in the law, and courts pay close attention to these activities to consider cases of violations of the law. On the other hand, legal potentials and political tolerance of the country have led to the fact that many press journalists and webloggers are freely active in Iran and disseminate information, express opinions and criticize the affairs of the country. Therefore, the claim for broad interpretation and arbitrary application of the press law is unfounded.

Paragraph 19

The submission of the inaccurate statistical rankings of countries on the issue of freedom of expression and spreading unreliable information on the number of detained journalists and possible prisoners is absolutely counterproductive. While many journalists in other countries in the region are under the risk of death and their freedom of expression is under threat and widespread restrictions, the exaggeration of cases that violate the laws in Iran is not acceptable.

Paragraph 20

According to the Department of Justice of Tehran Province, the mentioned persons were detained in July 2014 on charges of espionage. With regard to the nature of the charges and to prevent collusion, Mr. Rezaian, with the order of the judge in charge, on the basis of article 32 of the Criminal Procedure Law, was held for 45 days in one-person unit wards and afterwards transferred to the public suite. Ever since his detention, up to the completion of the investigation, his judicial dossier was under the close consideration of the judge, and, by his order, the duration of the detention of Mr. Rezaian was extended once every two months. Finally, in July 2015, the bill of indictment was issued, therefore the claim about his long and arbitrary detention is baseless. In addition, he met with his family during the investigation phase and benefited from health and welfare facilities, such as

shopping from stores outside the prison. It should be noted that Yeganeh Salehi (Mr. Rezaian's spouse) was released on bail in October 2014.

After the completion of the investigation, the first trial of these persons was conducted in the presence of their defence lawyer in June 2015 and, considering the nature of his charges and according to article 188 of Criminal Procedure Law, the hearing was held behind closed doors. This law is in line with article 14 (1) of the International Covenant on Civil and Political Rights. As stated in the bill of indictment, Mr. Rezaian and his wife were arrested on charges of espionage and their illegal activities had no connection to their profession as journalists.

Paragraphs 23 and 24

Expansion of the Internet in Iran during the past 24 years has been outstanding. The Internet is now available to 46 million users and the .ir domain has more than 500,000 cases, which is unique in our region. The Ministry of Communications and Information Technology, in keeping with article 46 of the law on the fifth development plan, is developing a national information network in order to provide all citizens with high-speed and safe Internet access. Unfortunately, the launching of this network is delayed because of illegal sanctions against our country. Nevertheless, the Ministry is trying to make the best use of national capability and resources to achieve this goal, which is included in the sixth development plan. Claims concerning closure of WhatsApp, Line, Skype and Tango are unfounded, and Iranian users have adequate access to these sites.

Paragraphs 25 and 26

President Rouhani's Government adopted new policies for the opening of cultural and social space in the country. The Government has the intention of opening all social networks.

The Prosecutor General, in line with article 22 of the Computer Crimes Act and considering cybercrimes, including immoral issues, selling narcotics, terrorism training, extremism and inciting ethnic and religious hatred, has ordered the blocking of certain sites.

The claim concerning the recognizing and detaining of online social or political activists through using smart Internet is false and unfounded. It is natural that among more than 46 million Internet users, there could be some violators of the law that should be dealt with according to the laws, as is the case in other societies.

Blocking and smart filtering of YouTube, Facebook and Twitter has taken place for reasons such as abuse of children, terrorism, extremism and violence, violation of the privacy of people and disrespect for national laws and regulations. Therefore, claims contained in paragraphs 23-25 are untrue.

Paragraph 29

From its very inception, the Islamic Republic of Iran has paid special attention to the advancement of women and promotion of their rights, as well as their status, in order to promote and protect the rights of women. Iran accepted 42 of the recommendations it received during its second UPR cycle.

Combating violence against women at the levels of prevention, protection, rehabilitation and reintegration is a priority of the country. Significant activities have taken place in this domain to which references were made in Iran's previous reports, in particular in Iran's national UPR. As a measure in combating domestic violence, article 1,130 of the Civil Code allows women to file for divorce in cases of assault and battery or any form of mistreatment.

Paragraphs 30 and 31

Iranian society is protective of family rights. Fabricated and untrue statistics contained in the report are refuted and are far from the reality of Iranian society. The Statistical Centre of Iran is the right place to access relevant, accurate data and statistics.

According to the laws of the Islamic Republic of Iran, infliction of any kind of injury on another person entails criminal liability, and domestic violence is no exception. Nevertheless, due to the importance that the Government attaches to the empowerment of women, a special bill on the safety of women has been drafted. The bill defines in legal terms all types of violence, including domestic violence and its instances, and provides for proportionate punitive measures. This bill is presently going through its ratification process.

Paragraph 32

In the Iranian Civil Code, necessary protection for the prevention of domestic violence, in particular the physical and spiritual health of wives, has been envisaged. According to article 1,119, a wife can obtain a divorce by stipulating any condition to the marriage which is not incompatible with the nature of the contract of marriage, such as ill-treatment by the husband. Moreover, in article 1,130, any action which causes difficult and undesirable conditions gives the wife the right to request a divorce. On verbal violence and the violation of dignity, article 608 of the Penal Code is applicable. The claim in the report of the necessity of "two adult male witnesses to the assault" is false and should be stricken from the report. Considering the above, it is evident that Iranian laws are not silent vis-à-vis domestic violence.

The issue of marital rape was not considered by many countries and cultures. Even those countries which criminalized this issue are not implementing it due to difficulties in proving the crime. In the laws of Iran, marriage is a mutual contract, forced marriage is cancelled by the law and such marriages are subject to both civil and criminal liabilities (articles 1 and 3 of the Civil Liability Law and article 3 of the Law of Marriage). As the possibility of divorce exists in cases of reluctance or hatred, the issue of marital rape has no place between couples.

Contrary to the claim contained in paragraph 31, there are various mechanisms in Iran to protect women affected by domestic violence, some of which are referred to in the following:

- The establishment of intervention and rehabilitation offices and the drafting of a plan called intervention in individual, family and social crisis (centre for social emergency, 137 centres in the country)
- Establishing a telephone hotline for social emergency (123) aiming at controlling and reducing social harms

- The provision of mobile social emergency services to empower those exposed to social harm
- The establishment of 24 rehabilitation centres for women and girls in vulnerable situations in the country
- The provision of specialized social assistance, job training, education facilities, art training and life skills training are among the services which are provided in rehabilitation centres

Paragraph 33

The bill on comprehensive population and exaltation of family has not yet been ratified.

Paragraph 35

The connection between the unfortunate incidents of acid attacks and the promotion of virtue has never been proven. The occurrence of this evil phenomenon this past year, which even targeted women with *hijab*, is indicative of the lack of connection between the two issues. Of course, these incidents have been investigated and controlled.

Paragraphs 36 to 38

According to the Statistical Centre of Iran, the average age of marriage for men was 24.1 in 1977, which increased to 26.7 in 2011, and for women increased from 19.7 to 23.4 during the same period. In the past, such marriages could be conducted without any kind of legal monitoring, therefore, the Iranian law subjected these marriages to the provisions of article 1,041 of the Civil Code which states that marriage before the age of majority is prohibited. The judiciary monitors such marriages with the utmost seriousness. Such monitoring is carried out in accordance with the Penal Code (2006), the provisions of article 1,041 of the Civil Code and article 50 of the Family Protection Law (2012). In addition, according to article 56 of the latter law, a marriage registrar who registers a marriage overlooking the provision of article 1,041 of the Civil Code would be deprived (fourth degree) from his or her job, in accordance with the Penal Code. Article 45 of the law stipulates that observing the best interests of children and adolescents in all decisions of the courts and executive officials is obligatory. Normally, courts do not vote for the requested early marriages, bearing in mind the best interest of the child.

Unfortunately, in paragraph 36, false statistics have been included which further undermine the credibility of the report.

Paragraphs 41 to 44

The existing statistics indicate that the rate of economic participation of women in the marketplace of Iran has increased in recent years. This rate increased from 9.1 per cent in 1999 to 13.8 per cent in 2012. Currently, about 17 per cent of all persons with an occupation are female. In addition, the rate of participation of men and women shows that, in 1999, the rate of participation of men was almost 6 times greater than that of women. This rate lowered in recent years to 4.5, which is indicative of progress. To implement laws and programmes relating to women and the family, the following are on the agenda of the Government:

- The further empowerment of women to promote their occupation status
- Special laws for female recruitment in labour markets
- Assisting civil society institutions in support of women
- Supporting women production cooperatives, in particular in agriculture and handicraft sections
- Rendering special support and assistance to female-headed households

Paragraph 43

To increase the participation of women in decision-making positions, the following programmes are under consideration and implementation:

- Raising awareness among women on the importance of their rights to political participation through public training and media
- Increasing programmes for the empowerment of women who are in managerial positions
- Allocating a certain quota for women in the parliament, increasing the number of women in political parties for parliamentary elections, increasing executive management training courses for women and increasing financial resources and the provision of opportunity for women to attend elections

Currently a number of women are at the highest political positions in Iran; there are three women with the position of vice-president. Women are also members of parliament, mayors, governors of provinces, advisors to ministers and directors general.

Paragraph 44

As mentioned in reply to paragraph 32, there should not be prejudgements concerning bills and acts which have not finished their legal procedures for adoption, since, in the process of adoption, different modifications and views are raised so that the proposed bill may include different provisions. Moreover, the aim of the proposed family bill with the current content is encouragement towards marriage and childbearing, which exists in the laws of many other countries as well.

Paragraphs 45 and 46

The bill mentioned in this paragraph has not been adopted yet and therefore cannot be referred to. Furthermore, phrases such as "expressing concern about restrictions on women's rights" are a hasty interpretation. The following paragraphs which disapprove claims contained in paragraphs 45 and 46 should receive due attention.

Premarital education, which more than 90 per cent of couples attend, pays particular attention to the social, mental, spiritual and physical health of newlywed couples.

Despite the claim in paragraph 45, in the budget of fiscal year 2014-2015, billions of rials were allocated to implement the population policies of the country under the general budget of the Ministry of Health. In the budget, the subprogrammes that have been planned are: promotion of family, health benchmark,

actions and executive packages on population policies of the country, infertility treatment and programme for food and nutrition security.

Paragraph 47

The principle of freedom of association and the rights to organize and collective bargaining have been recognized in the Constitution and the Labour Law of the Islamic Republic of Iran. The formalization and realization of freedom of association and the right to collective bargaining is mentioned in the Constitution, in paragraphs 26, 104 and 106, and in the Labour Law, in articles 131, 140-146 and 178.

The Islamic Republic of Iran, as one of the members of the International Labour Organization, made efforts to implement the rules and regulations of international labour conventions. The Islamic Republic of Iran has joined five of the eight fundamental international labour conventions of the International Labour Organization and is considering accession to other labour conventions, such as the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), of the International Labour Organization.

The Government strictly stipulates that despite the lack of accession to the above-mentioned conventions, it has always taken measures to implement international obligations contained in fundamental labour conventions in collaboration with its social partners.

Paragraph 48

Based on article 131 of the Labour Law, if workers are not inclined to become a member of their associated labour organization, they are able to join other labour organizations in the city or province. Workers' or employers' organizations are not required to obtain permits. With the guidance of experts at the Ministry of Cooperatives, Labour and Social Welfare, however, the establishment of the organization can be registered. To date, 9,576 organizations are registered, of which 8,849 are currently active. A total of 1,396 organizations were registered during 2013, and 1,558 organizations were registered within the first year of the new Government, during 2012-2013. These statistics show that the concerns reflected in paragraph 47 lack objective evidence. Notwithstanding all the measures undertaken by the Government in coordination with social partners to reform the Labour Law, this matter is still under consideration in Parliament.

Paragraph 49

The Government began issuing management regulations and organizing trade union protests to implement principles 26 and 27 of the Constitution. The Government has also started to safeguard the security of union protests, leading to a regulations framework and to safeguarding trade union rights. The Government also submitted this regulation to the International Labour Organization.

The current Government is also engaging with different groups, such as the groups mentioned by the Committee, in order to create national unity, and positive results have emerged from this process to this point. For example, currently seven teacher trade associations are active in the country and one representative of the

associations was introduced to the Ministry of Education and was appointed as the minister's advisor in trade association affairs. Claims regarding mentioned individuals and associations in this paragraph are clarified and explained by submitting information to the International Labour Organization and related authorities.

Paragraph 50

Union protests in the Islamic Republic of Iran are recognized. The Islamic Republic of Iran made all efforts to eliminate the outstanding issues regarding wage arrears by accession to the Protection of Wages Convention, 1949 (No. 95), of the International Labour Organization. The following includes some of the main measures taken by the Government to solve the problem of wage arrears.

One of the most important legal and executive measures of the Government to eliminate the wage arrears issue is to allocate funds to pay salaries and arrear wages of manufacturing units that are in financial crisis by donations referred to as "social support" in the annual budget of the Ministry of Cooperatives, Labour and Social Welfare.

Paragraph 51

The Islamic Republic of Iran is a party to the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Employment Policy Convention, 1964 (No. 122), of the International Labour Organization. In 2014, board members from the aforementioned organization visited Iran regarding the implementation of Convention No. 111, at the request of the international board of directors, and, in the report, the programmes and efforts of Iran in this field are recognized and acknowledged. Over the past years, reports were also submitted to the standards committee of the International Labour Organization regarding the implementation of those two conventions.

According to the Constitution, especially the introduction and articles 13-15, the salaries of ethnic groups and religious minorities are explicitly stated and recognized. In all different executive periods, this subject has been taken very seriously, and there is no discrimination in practice and in law.

Paragraph 52

In the Islamic Republic of Iran, the right to a fair trial and due process has been emphasized in the Constitution, the Criminal Procedures Code and other laws of the country in all phases, from the time of discovery of an offence, investigation, pretrial, trial and post-trial to the enforcement of rulings by the court. The claim that suspects are often unaware of their charges until they are before the court is untrue. At the beginning of the proceedings, the judge first asks the accused to state his or her identity and other personal information in the process of sending the summons and other related papers. He will also notify the accused to be cautious about his statements and will explain the subject of the accusation and its reasons clearly. If the accused refuses to respond, the refusal will be recorded in the minutes, pursuant to article 129 of the Criminal Procedure Law. It is evident that the claim of the report including "detention without charges" is false, not to mention the fact that no source is provided.

The claim on "lack of access to lawyers" is also not true, since the accused person can have access to lawyers at every stage of proceedings until the end of the trial and the appeal stage, pursuant to articles 128, 185, 239 and 273 of the Criminal Procedure Law. The claims of summary hearing and heavy sentences are devoid of validity due to lack of evidence and source of the claims.

Paragraph 53

Allegations concerning the use of torture in the Islamic Republic of Iran are categorically rejected. Article 38 of the Constitution and other laws, especially the Law on Citizens' Rights, forbid all forms of torture. Use of torture by any official of the Government would bring about serious consequences, and the offender would be dealt with to the fullest extent of the law, as was the case in the Kahrizak dossier. The claim that prosecutors extract confessions under torture is also rejected, especially as no source has been mentioned in this regard. On the case referred to in the report, Reyhaneh Jabbari indicated her prior intention to murder the victim, thereby proving false her claim of forced rape. Her confession was not the basis for the final verdict against her, and the judges made the decision on the basis of the evidence and documents contained in the dossier. All legal proceedings and investigations were completed in accordance with penal procedures. The court issued its verdict on the basis of the indictment, the content of the dossier, hearing the arguments made by the defence lawyer and the accused proving the intentional nature of the murder.

Paragraph 54

Lawyers in Iran enjoy full independence, and any infringement of their code of conduct is dealt with by the Bar Association and the lawyers elected by it. The ordinary laws of Iran relating to the conduct of judges and lawyers ensure their independence in all phases of trial proceedings, from the beginning to the appeal phase. Therefore, the claim regarding government intervention in the affairs of the Bar Association is not correct. The case of Ms. Sotoudeh was investigated by the court with full transparency and observing the principle of a fair trial. Her case was also considered by the Bar Association, which sustained the verdict. However, she was dealt with leniently, as doing so is a policy of the Iranian judicial system, and the remainder of her criminal sentence was commuted. Moreover, it should be once against emphasized that commenting on draft legislation that are simply proposals and have not even been placed on the path to becoming law is inappropriate.

Paragraph 55

The observance of the rights of all individuals, ethnic groups and followers of different religions has always been a steadfast policy in Iran. Various economic and cultural programmes have been implemented in regions inhabited by Iranian ethnic populations to improve their living conditions, welfare and political and social participation. As for religious minorities, in addition to their participation in political decision-making and other legal protection, a considerable amount of funds has been spent to improve their overall situation and the performance of their religious rituals, religious education and renovation of religious sites.

Paragraphs 56 and 57

The situation of Baha'is is similar to that of the rest of the Iranian population. Baha'is are employed in different professions and positions. They own small and large manufacturing units and are active in businesses, having business licences and other facilities. Regarding the claim of 11 businesses in the city of Sari being shut down, the subject was investigated; the reason was a violation on the part of the mentioned union units, since according to the law it is necessary to have a licence from a related union for collective closing, in order to avoid shocks to the small local market.

Baha'is have dedicated cemeteries in different parts of Iran. Concerning the cemetery for Shiraz Baha'is, the location of this cemetery was within the city limits of Shiraz in the new urban development of this city. New burial in this cemetery has been forbidden since 1980 for public health reasons, like many other Muslim and Christian cemeteries. According to note 6 to article 96 of the Municipality Law and article 45 of the Financial Bylaw of Municipalities, public cemeteries are regarded as public property and owned by municipalities. It should be mentioned that change of land use after 30 years is by no means an insult to the dead. This was done in order to meet the new needs of the city and the health of the public. It has nothing to do with a particular belief, and it should be reiterated that a substitute cemetery had previously been designated for the Baha'i community in Shiraz.

Regarding the Baha'i cemetery in Ahvaz, due to their insistence on maintaining the current cemetery and reluctance to move to a new one, it was proposed that, like other cemeteries in the country, they revive their old cemetery and either bury the dead in between old graves or use multi-story graves. In any case, the work of this cemetery has not been barred.

Paragraph 58

Younes Asakerah is an Arabic-speaking citizen from Khorramshahr, not an Ahwazi Arab. He owned a fruit kiosk in Khorramshahr without permission of the municipality and, as the municipality moved to close the kiosk, he set himself on fire and, regrettably, 10 days later he died in hospital. Many local authorities in Khorramshahr, including the mayor, speak Arabic, and the law is applied regardless of the ethnicity of the violator. According to the existing evidence and pictures posted on the Internet, he received the necessary medical treatment, and his death was because of the gravity of the injuries. After his demise, the local authorities and charity NGOs took measures to safeguard the livelihood and housing of his immediate family.

Furthermore, as was mentioned in last year's response, using "Ahwazi Arab" in the report and in footnote number 84 is not in line with the Iranian identity and county's provincial divisions and is only used for separatist intentions.

Paragraph 59

President Rouhani's administration has attached special attention to minorities, and, in line with this, the President has designated a special assistant for ethnic and religious minorities. According to the Constitution, basic rights such as equality before the law, protection of life and property, employment, housing, social security, lawsuits, education, enjoying a fair trial, possessing nationality, participation in the

affairs of the country and other citizenship rights are recognized for all Iranians regardless of their religious affiliation or ethnicity. In article 13 of the Constitution, freedom of religious rituals has been established. Article 19 of the Constitution states that all people of Iran, regardless of their ethnicity, enjoy equal rights. But, like other democracies, citizens have an obligation to respect the laws while enjoying their legitimate rights and freedoms. Accordingly, there is no discrimination against ethnic minorities in Iran and no person is prosecuted for the sole reason of belonging to a particular religion or ethnic group.

Paragraphs 60 to 62

Acceptance or non-acceptance of recommendations which are made in the framework of the UPR mechanism is within the discretion of States. They are free to choose among recommendations on the basis of States' abilities and restrictions. Iran closely follows the developments on international treaties and their monitoring bodies and would consider acceding to such conventions as and if it deems necessary.

In line with its principled position to cooperate with United Nations mechanisms, the Islamic Republic of Iran has full engagement with treaty bodies, including through the submission of its periodic reports to the relevant monitoring bodies. As mentioned in paragraph 60 of the report, Iran submitted its first report under the Convention on the Rights of Persons with Disabilities in December 2013. The next report is being prepared by the relevant organizations and will be submitted to the Convention monitoring body upon its completion.

Paragraphs 63, 64 and 70

Iran considers the appointment of the Special Rapporteur on Iran to be the result of an entirely political and discriminatory resolution which is at odds with the principle of the promotion and protection of human rights. Furthermore, the Special Rapporteur himself has adopted a biased approach in discharging his mandate. Principally, appointing a country-specific rapporteur for a country like Iran, which is committed to its citizens' human rights, is unwarranted, meaningless and absolutely counterproductive. However, in keeping with our intention to cooperate with the United Nations human rights mechanism and motivated by the aim of rectifying the approach of the Special Rapporteur so he may prepare a report based on authentic information, representatives from our missions in Geneva and New York, as well as representatives of the judiciary, members of Parliament and officials of the Iranian High Council for Human Rights, have met with the Special Rapporteur several times. First-hand information on his questions and allegations has been presented to him, and engagement with him will continue.

Furthermore, on 16 March 2015, the Islamic Republic of Iran invited the Special Rapporteur on the right to food to pay an official visit to the country.

Paragraph 64

With regard to the claims contained in paragraph 64, based on article 10 of the Bill on Legitimate Liberties and Preservation of the Rights of Citizenship, every legal person is able to lodge a protest on arbitrary detention or forced disappearance to the Central Supervisory Board for Preserving the Rights of Citizenship. This request will be examined seriously in legal proceedings. Furthermore, the Islamic

Republic of Iran is resolute in responding to all allegations and human rights communications. In line with this, Iran has responded in a detailed and substantiated manner to the communications mentioned in this paragraph.

Paragraph 65

The possibility of cooperation between the Islamic Republic of Iran and OHCHR was discussed in the meeting held between Iranian officials and the United Nations High Commissioner for Human Rights and his Office, and Iran has officially invited the High Commissioner to pay a visit to the country. In addition, Iran's detailed and substantiated response to the concerns on the issues contained in paragraph 65 has already been sent to the Office.

Paragraphs 67 and 68

While welcoming the Secretary-General's comments on Iran's active engagement with the universal periodic review by submitting its national report on the implementation of the recommendations resulting from the first review, Iran's reservations on some recommendations is due to their conflict with Iran's international commitments, moral and social values, the Constitution and domestic laws.

Iran has commenced the process of the implementation of the accepted recommendations of the second UPR cycle with the engagement and cooperation of different ministries and other relevant bodies, including civil society.

Paragraph 69

In the laws of many countries, including the Islamic Republic of Iran, there are certain serious crimes that may result in capital punishment. While there is no global consensus on the abolition of the death penalty, it is only applied to perpetrators of the most serious crimes, including armed drug traffickers who also engage in acts of terrorism.